

OCT. 16. 2000 10:25AM

DINSMORE SHOHL

NO. 2681 P. 1

## DINSMORE & SHOHL LLP

### FACSIMILE TRANSMITTAL

from **JOHN I. LAHTI**

**OCTOBER 16, 2000**

45

**To:** Refund Department

**Fax #:** 703 308 6778

NO 10:40

**Firm:** USPTO

**Client #:** 990 6305

**Pages:** 11  
(including cover)

**Comments:** Please process the attached refund requests promptly! Thank you!

If there are any problems in receiving this transmission, please call (513) 977-8483 immediately.

Thank you

#### NOTICE

*This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return these papers to us at the address below via first class mail.*

**Originals to follow by:** None will follow

09623006

OCT 16 10 25 AM  
DINSMORE & SHOHL LLP  
CINCINNATI, OH

1900 Chemed Center, 255 E. Fifth Street, Cincinnati, OH 45202

(513) 977-8200/Fax: (513) 977-8141

OCT. 16. 2000 10:25AM

DINSMORE SHOHL

NO. 2681 P. 2

# DINSMORE & SHOHL LLP

Attorneys at Law

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Fax (606) 425-1099

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Fax (502) 585-2207

[www.dinslaw.com](http://www.dinslaw.com)

October 16, 2000

**VIA FACSIMILE: 703/308.6778**

Refund Department  
United States Patent & Trademark Office  
Box 17  
Washington, D.C. 20231

**RE: Monthly Statement of Deposit Account No. 041133 for AUGUST 2000**

Dear Sirs:

Upon review of our August statement, two charges were noted which it is believed should not have been debited from the above deposit account. Therefore, credits to the account are in order. The following is a detailed listing and explanation of the requested refunds. A copy of the August statement with disputed charges highlighted is attached.

The first requested refund is for \$25, regarding trademark registration no. 2138876, our docket no. 3356-112, posted on August 23, 2000 (control no. 8, fee code 470). This charge was for a certified copy of the assignment of trademark rights in reference to this registration. The request was transmitted by facsimile at 9:30 AM on August 16, 2000. At 9:39 AM on August 16, 2000, however, a second facsimile transmission was sent whereby the order was cancelled. Copies of the facsimile transmittals are attached. It is believed that the request should have been withdrawn at that point, and that we should not have been charged for the assignment, and a refund in the amount of \$25 is respectfully requested.

The second requested refund is for \$18, regarding patent application serial no. 09/623006, our docket no. 10738-17. This balance was due to an incorrect calculation of the total claims presented in the application. The text of the application included 62 claims, however two of the claims were cancelled by means of a preliminary amendment filed jointly with the patent application. The fee calculated for this submission included these two canceled claims. Further, the applicant is a certified small-entity. A copy of the relevant text of the application, the preliminary amendment and the transmittal are included with the incorrect calculation highlighted. A refund of \$18 for the two cancelled claims is respectfully requested.

**Deposit Account**  
**Refund Department, USPTO**  
**October 13, 2000**  
**Page 2**

Please rectify our account by applying the appropriate credits. Should you have any questions or require further information, please contact our office.

Very truly yours,



John I. Lahti  
Project Assistant,  
IP Practice Group

JIL

Enclosures

c: Laurie M. Shirk, Paralegal

::ODMA\MHODMA\CINTI;610066;1

**DINSMORE & SHOHL L.L.P.**

**FACSIMILE TRANSMITTAL**

from **LAURIE SHIRK**

**AUGUST 16, 2000**

**To: Office of Public Records, Customer Service**

**Fax #: 703-308-7048**

**Client #: 3356-112**

**Pages: 1**  
**(including cover)**

**Comments:** Please forward a copy of the assignment of trademark rights recorded on Reel/Frame 2012/0112 on December 22, 1999, to Laurie Shirk, Dinsmore & Shohl LLP, 1900 Chemed Center, 255 E. Fifth Street, Cincinnati, OH 45202. Details of the assignment are as follows:

**Assignee: Delaware Capital Formation, Inc.**

**Assignor: Dover Corporation**

**Reel/Frame: 2012/0112 Date Recorded: 12-22-99**

**Covering Registration Nos. 2,138,876 (DRYLOK) and 2,295,300 (CIVACON), as well as others.**

**Please charge our deposit account 04-1133 for fees.**

**If there are any problems in receiving this transmission, please call (513) 977-8483 immediately.**

**Thank you.**

**NOTICE**

*This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return these papers to us at the address shown to the right via first class mail.*

**Originals to follow by: None**

OCT. 16. 2000 10:26AM DINSMORE SHOHL

NO. 2681 P. 7 1

\* \* \* TRANSMISSION RESULT REPORT ( AUG. 16. 2000 9:39AM ) \* \* \*

TTI DINSMORE SHOHL

DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS. NAME	FILE
UG. 16	9:39AM	703 308 7048	GSES	0'30"	P. 1	OK		5554

*L Shirk  
18pm.*

# : BATCH  
M : MEMORY  
S : STANDARD  
! S : REMOTE TRANSFER

C : CONFIDENTIAL  
L : SEND LATER  
D : DETAIL  
R : FAX ON DEMAND

S : TRANSFER  
@ : FORWARDING  
F : FINE  
\* : PC

F : POLLING  
E : ECM  
> : REDUCTION  
% : PC DIRECT

*Requested copy of  
assignment on 8-16-00  
~~acknowledgment~~ confirmation of  
transmission @ 9:30 A.M.*

*At 9:39 A.M. transmitted  
request w/ notation to  
disregard/cancel order*

OCT. 16. 2000 10:26AM

DINSMORE SHOHL COMMERCIAL PATENT AND TRADEMARK OFFICE

1073B-1 NO. 2681 P. 8

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/US99/06580

INTERNATIONAL FILING DATE  
March 25, 1999

PRIORITY DATE CLAIMED  
March 31, 1998

TITLE OF INVENTION  
ANTIOXIDANT PEPTIDES

APPLICANT(S) FOR DO/EO/US DAVID Y. HUI and PATRICK TSO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.  
Small Entity State, Return Receipt Postcard (MPEP 503), Copy of Notice Informing Applicant of the Communication of the International Application to the Designated Offices, Assignment Cover Sheet

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label #: EL378854800US

Date of Deposit: 8/24/00

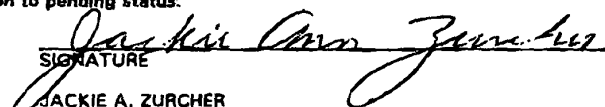
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, DC 20231.

*Catherine Le Vigne*

1.50) OCT. 16. 2000 10:26AM

DINSMORE SHOHL  
PCT/US99/06320

NO. 2681 P. 9

				CALCULATIONS	PTO USE ONLY
17. The following fees are submitted:					
Basic National Fee (37 CFR 1.492(a)(1)-(5)):					
(1)	Search Report has been prepared by the EPO or JPO			\$840.00	
(2)	International preliminary examination fee paid to USPTO (37 CFR 1.482)			\$670.00	
(3)	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))			\$760.00	
(4)	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO			\$970.00	
(5)	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)			\$96.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 670.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than (1) 20 (1) 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	82 -20 =	42	42 x \$18.00	\$756.00	<i>charged to 2 extra, request \$18 refund</i>
Independent Claims	5 -3 =	2	2 x \$78.00	\$156.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1582.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$791.00	
SUBTOTAL =				\$ 791.00	
Processing fee of \$130.00 for furnishing the English translation later than the (1) 20 (1) 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$40.00	
TOTAL FEES ENCLOSED =				\$ 831.00	
				Amount to be: refunded	\$
				charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$831.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04.1133.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
DINSMORE & SHOHL 1900 Chemed Center 255 East Fifth Street Cincinnati, Ohio 45202 (513) 977-8200			 SIGNATURE JACKIE A. ZURCHER NAME 42,251 REGISTRATION NUMBER August 24, 2000 DATE		